

## SENATE BILL No. 413

### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 13-18-17-5.

**Synopsis:** Groundwater quality standards. Requires the water pollution control board to adopt rules establishing groundwater quality standards that: (1) ban the discharge of pollutants into potable groundwater; and (2) establish preventive action limits that trigger responses to prevent additional contamination of a groundwater resource. Specifies the location at which groundwater quality standards must apply: (1) for certain mining activities; (2) for facilities, practices, and activities regulated by laws other than the law concerning surface coal mining and reclamation; and (3) for facilities, practices, and activities not otherwise regulated.

**Effective:** July 1, 2001.

**Waterman**

January 18, 2001, read first time and referred to Committee on Environmental Affairs.



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Introduced

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## SENATE BILL No. 413

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 13-18-17-5, AS AMENDED BY P.L.168-1999,  
2       SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2001]: Sec. 5. (a) The water pollution control board shall  
4       adopt rules under IC 4-22-2 establishing groundwater quality standards  
5       that include numeric and narrative criteria, a groundwater classification  
6       plan, **preventive action limits**, and a method of determining where the  
7       groundwater quality standards must apply. The standards established  
8       under this subsection shall be used for the following purposes:

9           (1) To establish minimum compliance levels for groundwater  
10          quality monitoring at regulated facilities.

11          (2) To ban the discharge of ~~effluents~~ **pollutants** into potable  
12          groundwater.

13          (3) To establish health protection goals for untreated water in  
14          water supply wells.

15          (4) To establish concentration limits for contaminants in ambient  
16          groundwater.

17          **(5) To establish preventive action limits that trigger responses**

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to prevent additional contamination of a groundwater resource. However, preventive action limits established under this subdivision may not be construed as standards for purposes of enforcement and legal actions under IC 13-30.

(b) The groundwater quality standards established in rules adopted under this section must apply to all groundwater resources in Indiana that are at least ten (10) feet beneath the surface of the ground, a facility, a practice, or an activity as follows:

(1) For mining activities regulated under IC 14-34, the groundwater quality standards must apply at:

(A) the boundary of the permit area (as defined in IC 14-8-2-200); or

(B) the point where any required groundwater monitoring site is located;

whichever is nearer to a source of groundwater.

(2) For facilities, practices, and activities regulated by laws other than IC 14-34, the groundwater quality standards must apply at:

(A) the property boundary of the facility, practice, or activity;

(B) the point where any required groundwater monitoring site is located; or

(C) a point three hundred (300) feet from the property boundary of the facility, practice, or activity;

whichever is nearest to a source of groundwater.

(3) For facilities, practices, and activities not otherwise regulated as described in subdivision (1) or (2), the groundwater quality standards must apply at the property boundary of the facility, practice, or activity.

(c) The following agencies shall adopt rules under IC 4-22-2 to apply the groundwater quality standards established under this section to activities regulated by the agencies:

(1) The department.

(2) The department of natural resources.

(3) The state department of health.

(4) The office of the state chemist.

(5) The office of the state fire marshal.

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